



2745

Attorney Docket No. 1988.0021

TC 2100 MAIL ROOM

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard WARREN

Application No.: 09/216,036

Filed: December 18, 1998

For: METHOD AND SYSTEM FOR PREVENTING  
SUN TRANSIT OUTAGES IN POINT-TO-  
MULTIPOINT SATELLITE SYSTEMS

Group Art Unit: 2745

Examiner: Not Yet Assigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, serial no. 08/988,989, filing date December 11, 1997, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are

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Richard WARREN  
Application No. 09/216,036

material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Walter A. Schutliff Reg No. 24,914  
for Jeffrey A. Berkowitz  
Reg. No. 36,743

Date: 04/18/2000